

REMARKS

The applicant has amended claims 1, 2 and 10, and claim 3 has been cancelled, thereby defining the present invention patentably over the cited references. The applicant respectfully requests the examiner to reconsider said amended claims, and respectfully submits that all pending claims are now placed in position for allowance, for the following reasons:

Claim Rejections

Claims 1-11 are rejected under 35 U.S.C 103(a) as being unpatentable over the admitted prior art FIG 5 in view of Trout et al. (US 6,485,321)

Specifically, the examiner states:

Applicant's APA substantially disclose the claimed invention except for an operation portion extending form the operation arm of the load lever and is providing a distance from a circuit board that is greater than a distance from the operation arm to the circuit board.

Trout et al. teach an operation portion (30) extending from an operation arm and providing a distance from a circuit board that is greater than a distance from the operation arm to the circuit board.

Therefore, the examiner concludes that it would have been obvious to one having ordinary skill in the art at that time the invention was made to provide an operation portion extending form the operation arm of the Applicant's APA load lever as taught by Trout et al. for ease of grapping the load lever.

In the modified handle of Applicant's APA, Trout et al. does not disclose a U-shaped operation portion.

It would have been obvious matter of design choice to change Trout's operation portion to a U-shaped operation, since such a modification would have involved a mere change in the shape of a component. A change in shape is generally recognized as being within the level of ordinary skill in the art.

Response

The applicant would like to clarify that the amended claim 1 is patentable over the cited references

Specifically, the present invention is applied to prevent an operator's hand from being abraded or hurt. In order to achieve this purpose, claim 1 defines an operational portion 44 comprising an extending portion 440, a generally U-shaped bending portion 446 extending from a distal end of the bending portion 446 and being parallel the middle portion 442. For the U-shaped bending portion, both Applicant's APA and Trout et al. fail to disclose such a element, more importantly, the U-shaped bending portion is not a mere change in the shape of a component, but can result in functional improvement. When the connector 1 is in a closed state, a distance between the handle 444 and the PCB 6 is greater than a distance between the operational arm 43 and the PCB 6, and moreover, the distance between the handle 444 and the side adjacent to the handle of the connector body is also greater the distance between the operational arm 43 and the same side of the connector body. Thus during the operation of the connector from an open state to a closed or from a closed state to an open state, the operator's finger can keep a distance from connector body to avoid being scratched be the connector body. Additionally, when the operator is going to operate the lever from a closed state, it is very convenient to actuate the lever. On the contrary, for the Applicant's APA or Trout et al may be a little difficult, because neither the Applicant's APA nor Trout et al has U-shaped bending portion, which makes the handle of Applicant's APA and Trout et al. almost

engage with the side of the connector body, so there is no enough space for the operator's finger to operate the lever safely and efficiently.

In fact, in Trout et al., the lever 30 is received in a slot defined at one side of the housing 26, that's to say, the component directly under the lever is not PCB but the slot which receives the lever 30, the present invention has no such slot, when the operational arm 43 is placed in the closed state, the operational arm 43 directly face the PCB, so the operator's finger is more reliable to be scratched by the PCB, this makes the greater distance between the handle and the circuit substrate being very meaningful for the connector 1 which the present invention concerns.

From the forth statements, it is obvious the feature defined in the claim 1 can supply with a greater operation space for the operator, and through the operation space, the operation can safely and conveniently shift the load lever from an open state to a closed state or from a closed state to an open state. Therefore, the independent claim 1 is now patentable, and the other pending claims which depend on claim 1 directly or indirectly should be patentable as well.

Claim 9 remains unchanged, and Applicant respectfully traverses the Examiner's rejection for the following reasons.

FIG. 5 is essentially also the internal invention owned by the same assignee with the instant invention when the time the instant invention was made. Also, FIG. 5 had not been published when the counterpart application, on which the foreign priority was claimed by the instant invention, was filed. In other words, FIG. 5 is essentially the 102(c)/103 rejection reference rather than the 103 rejection reference. Additionally as mentioned before, because both the FIG. 5 and the instant invention were/are owned by the same assignee, FIG. 5 is not a qualified reference according to 103(c). Without FIG. 5, the remaining Trout

reference can no longer anticipate or render obvious the claimed invention.

Accordingly, claims 9-11 and other remaining claims are believed to be in condition for allowance.

Conclusion

For all the above reasons, the applicant asserts that all the pending claims are now in proper form and are patentably distinguishable from the prior art. Therefore, the applicant submits that this application is now in condition for allowance, and an action to this effect is earnestly requested.

Respectfully submitted,

Hao-Yun Ma

By  Wei Te Chung

Registration No.: 43,325

Foxconn International, Inc.

P. O. Address: 1650 Memorex Drive,
Santa Clara, CA 95050

Tel No.: (408) 919-6137